

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

NEXTEC APPLICATIONS, INC.

SUMMONS IN A CIVIL ACTION

V.

BROOKWOOD COMPANIES, INC., a Delaware corporation; and THE HALLWOOD GROUP, INC., a Delaware corporation,

CASE NUMBER

07 CV

6901

JUDGE HOLWELL

TO: (Name and address of Defendant)

The Hallwood Group, Inc.
3710 Rawlins, Suite 1500, Dallas, TX 75219

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

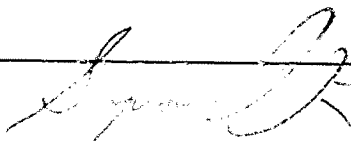
Kesari Ruza
Sheppard, Mullin, Richter & Hampton, LLP
30 Rockefeller Plaza, 24th Floor
New York, NY 10112
(212) 332-3828 (phone)
(212) 332-3888 (fax)

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 31 2007

CLERK



DATE

(By) DEPUTY CLERK

Blumberg
Law ProductsAffidavit of Service of Summons or Subpoena: Personal or Alternative
Methods: Corp. or Ind.: Military Service, 10 pt. type, 1-95© 1988 JULIUS BLUMBERG, INC.
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COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

NEXTEC APPLICATIONS, INC.,

Index No. 07 CV 6901

Plaintiff(s)

against

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)BROOKWOOD COMPANIES, INC., A DELAWARE CORPORATION; AND
THE HALLWOOD GROUP, INC., A DELAWARE CORPORATION,

Defendant(s)

SEE ATTACHED RIDER

TEXAS

STATE OF ~~NEW YORK~~, COUNTY OF

DALLAS

SS: The undersigned, being duly sworn, deposes and says; deponent is not a
party herein, is over 18 years of age and resides at DALLAS, TEXAS

That on 8/2/07

at 11:45A M., at 3710 RAWLINS, DALLAS, TX 75219-SUITE 1500

deponent served the within summons, and complaint on
SEE ATTACHED RIDERTHE HALLWOOD GROUP, INC.,
A DELAWARE CORPORATION

defendant therein named,

INDIVIDUAL

1. ☐by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as
said defendant therein.

CORPORATION

2. ☒a DOMESTIC corporation, by delivering thereat a true copy of each to MR. MELE, VICE PRESIDENT
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be MANAGING AGENT thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age

AFFIXING TO DOOR, ETC.

4. ☐and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—
usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age
and discretion thereat, having called thereMAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to
defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly
addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore
the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant.DESCRIPTION
USE WITH
1, 2, OR 3☒

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input checked="" type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input checked="" type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.☐The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional
legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).MILITARY
SERVICE☐I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any
capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of
my information and the grounds of my belief are the conversations and observations above narrated. Upon information and
belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.

Sworn to before me on

8-2-07

PRINT NAME BENEATH SIGNATURE
ARTHUR B. CIRILLO

License No. SCH 331

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Case No. 07 CV 6901

NEXTEC APPLICATIONS, INC.

V.

RIDER TO AFFIDAVIT
OF SERVICE

BROOKWOOD COMPANIES, INC., a Delaware
corporation; and THE HALLWOOD GROUP,
INC., a Delaware corporation,

-----X

List of Documents served:

- Summons In A Civil Case;
- Individual Practices Of Judge Richard J. Holwell;
- Individual Practices Of Magistrate Judge Theodore H. Katz;
- Civil Cover Sheet;
- Rule 7.1 Statement;
- Complaint For Patent Infringement; and
- Exhibits A to E.